

Exhibit 1

8 8 --

ES541/2

S T A T E O F R H O D E I S L A N D

I N G E N E R A L A S S E M B L Y

JANUARY SESSION, A.D. 1988

A N A C T

RELATING TO CRIMINAL OFFENSES --
UNLAWFUL DISSEMINATION OF RECORDS

88-H 8170

Introduced By: Reps. Friedemann, Teitz,
 Fiorenzano and Boyle
Date Introduced: February 23, 1988

Referred To: Committee on Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. CHAPTER 11-18 OF THE GENERAL LAWS ENTITLED "FRAUD AND
2 FALSE DEALING" IS HEREBY AMENDED BY ADDING THERETO THE FOLLOWING
3 SECTION:

4 11-18-32. Video, audio and publication rentals. -- It shall be
5 unlawful for any person to reveal, transmit, publish or disseminate in
6 any manner, any records which would identify the names and addresses
7 of individuals, or the titles or nature of publications, video films,
8 records, cassettes or the like, which are purchased, leased, rented or
9 borrowed, whether or not for consideration, from libraries, book
10 stores, video stores or record and cassette shops or any retailer or
11 distributor of such products.

12 All records of such transactions shall be maintained as confiden-
13 tial and may only be released by written waiver.

14 Any person, firm, or corporation violating the provisions of this
15 section shall be punished by imprisonment not exceeding six (6) months
16 and/or fined in an amount not exceeding five hundred dollars (\$500.).

17 Any customer injured as a result of a violation of this section
18 may bring a civil action against the violator for actual damages or
19 two hundred fifty dollars (\$250.), whichever is greater, for each

1 violation, plus reasonable attorneys' fees and court costs.

2 Furthermore, such records shall not be admissible as evidence in
3 any civil or criminal proceedings in any court of law.

4 SECTION 2. This act shall take effect upon passage.

ES541/2

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO CRIMINAL OFFENSES --
UNLAWFUL DISSEMINATION OF RECORDS

1 This act prohibits the revealing of records relating to the
2 rental of video or audio tapes or publications and makes any
3 violation punishable by up to 6 months imprisonment and/or a
4 \$500. fine. The act also provides a civil penalty and makes such
5 records inadmissible as evidence in a court of law.

6 This act would take effect upon passage.

ES541/2

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88-03150

A N A C T

RELATING TO CRIMINAL OFFENSES --
UNLAWFUL DISSEMINATION OF RECORDS

Presented by

W. Friedemann
Jeffrey T. ...
Charles ...
Cheryl Bayh



**PUBLIC LAWS
CHAPTER**

88 -- H 8170 SUBSTITUTE A

88-94

ES541/SUB A/2

JT. COMM. LEGISLATIVE AFFAIRS
LAW REVISION OFFICE

S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 1988

A N A C T

RELATING TO CRIMINAL OFFENSES --
UNLAWFUL DISSEMINATION OF RECORDS

Introduced By: Representatives Friedemann, Teitz, Fiorenzano and
Boyle

Date Introduced: February 23, 1988

Referred To: House Committee on Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. CHAPTER 11-18 OF THE GENERAL LAWS ENTITLED "FRAUD AND
2 FALSE DEALING" IS HEREBY AMENDED BY ADDING THERETO THE FOLLOWING
3 SECTION:
4 11-18-32. Video, audio and publication rentals. -- It shall be
5 unlawful for any person to reveal, transmit, publish or disseminate in
6 any manner, any records which would identify the names and addresses
7 of individuals, with the titles or nature of video films, records,
8 cassettes or the like, which they purchased, leased, rented or bor-
9 rowed, from libraries, book stores, video stores or record and cas-
10 sette shops or any retailer or distributor of such products, whether
11 or not such identities and listings are kept in a remote computing
12 service or electronic storage or the disclosure is made through or by
13 a remote computing service. It shall not be unlawful to make disclo-
14 sures to other employees of the library or business incident to the
15 normal course of their work or pursuant to lawful compulsion.
16 All records of such transactions shall be maintained as confiden-

1 tial and may only be released by written waiver.

2 Any person, firm, or corporation violating the provisions of this
3 section shall be punished by a fine in an amount not exceeding one
4 thousand dollars (\$1,000) per violation.

5 Any person injured as a result of a violation of this section may
6 bring a civil action against the violator for actual damages or two
7 hundred fifty dollars (\$250.), whichever is greater, for each viola-
8 tion, plus reasonable attorneys' fees and court costs.

9 SECTION 2. This act shall take effect ~~upon passage.~~

ES541/SUB A/2

floor amendment 5/3/88
OH

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floor
amendment
5/3/88*

not exceeding six (6) months or both"

"or by imprisonment

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
AN ACT
RELATING TO CRIMINAL OFFENSES --
UNLAWFUL DISSEMINATION OF RECORDS

1 This act prohibits the revealing of records relating to the
2 rental of video or audio tapes or publications and makes any
3 violation punishable by a fine not exceeding \$1,000. per viola-
4 tion. This act also provides a civil penalty.

5 This act would take effect upon passage.

ES541/SUB A/2

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I N G E N E R A L A S S E M B L Y

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F L O O R A M E N D M E N T

T O
88-H 8170 Sub A

May 3, 1988

Mr. Speaker:

I hereby move to amend 88-H 8170 Sub A as follows:

Page 2, line 4 after the word violation add "or by imprisonment
not exceeding six (6) months or both"

Respectfully submitted,

Zygmunt J. Friedemann
Zygmunt J. Friedemann

Representative - District 35

88 - 94

JT. COMM. LEGISLATIVE AFFAIRS
LAW REVISION OFFICE

88 -- H 8170
SUBSTITUTE A

AS AMENDED

A N A C T

RELATING TO CRIMINAL OFFENSES --
UNLAWFUL DISSEMINATION OF RECORDS

Presented by

IN THE SENATE MAY 4 1988
Read and returned to
the Committee on
JUDICIARY
Robert F. Wallace
Reading Clerk

IN HOUSE OF REPRESENTATIVES
MAY 18 1988
READ AND PASSED
Eugene J. Mabe
Clerk

IN HOUSE OF REPRESENTATIVES
APR 28 1988
Received and Ordered to be placed upon the
CALENDAR
Eugene J. Mabe
Clerk

IN HOUSE OF REPRESENTATIVES
MAY 29 1988
THE COMMITTEE ON ANNOBRY
RECOMMEND THE PASSAGE
OF THE BILL MARKED SUBSTITUTE "A"
AND THE INDEFINITE POSTPONEMENT OF
THE ORIGINAL BILL
Robert F. Wallace
FOR THE COMMITTEE

IN SENATE MAY 17 1988
THE COMMITTEE ON JUDICIARY
RECOMMEND THE PASSAGE IN CON-
CURRENCE *HSC-8170Aas*
OF THE BILL MARKED SUBSTITUTE "A"
AND THE INDEFINITE POSTPONEMENT
OF THE ORIGINAL BILL.
Robert F. Wallace
FOR THE COMMITTEE

IN THE SENATE MAY 18 1988
Ordered to be
placed upon the
calendar,
Robert F. Wallace
Reading Clerk

IN THE SENATE MAY 20 1988
Robert F. Wallace
Read and PASSED
IN CONCURRENCE
AS AMENDED
Reading Clerk

READ AND PASSED IN CONCURRENCE
TRANSMITTED TO THE GOVERNOR
MAY 24 1988
Edward J. Lemell
SECRETARY OF STATE

EXECUTIVE DEPARTMENT
Received MAY 24 1988
APPROVED
MAY 27 1988
Edward J. Lemell
GOVERNOR